

United States Courts
Southern District of Texas
FILED

AO91 (Rev. 12/03) Criminal Complaint

JUL 15 2015

UNITED STATES DISTRICT COURT

David J. Bradley, Clerk of Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

Juan Angel Dimas : DOB 1974

CRIMINAL COMPLAINT

Case Number:

H15-993 M

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 26, 2015 in Fayette County, in the Southern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

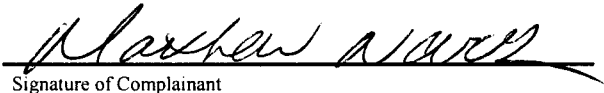
Conspiracy to possess with intent to distribute cocaine and crystal methamphetamine.

in violation of Title 21 United States Code, Section(s) 846.

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts:

Official Title

See attached Affidavit in Support of Criminal Complaint.

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No


Signature of Complainant

Matthew Walls / Task Force Officer

Printed Name of Complainant

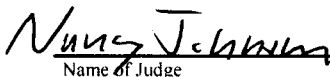
Sworn to before me and signed in my presence, and I find probable cause.

7-15-15
Date

at

Houston
City

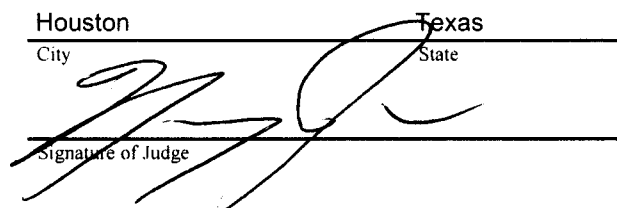
Texas
State



Name of Judge

United States Magistrate Judge

Title of Judge



Signature of Judge

Affidavit in Support of Criminal Complaint

I am an Investigator with the Austin County Sheriff's Office and a member of the Drug Enforcement Administration's HIDTA Task Force. As such, I am empowered under Title 21, United States Code, Section 878, to enforce Title 21 and other Criminal laws of the United States, to make arrests and obtain and execute search, seizure and arrest warrants. I have been so employed as a Peace Officer since 2002, and have served as a DEA TFO since 2011. Currently, I am assigned to the DEA Houston Field Division. In connection with my official duties, I investigate criminal and civil violations of Controlled Substances Act. I have received special training in the enforcement of laws concerning controlled substances as found in Title 21 of the United States Code. In connection with my duties and responsibilities as a law enforcement officer, I have testified in judicial proceedings for violations of laws concerning controlled substances. I have participated in numerous drug trafficking investigations, including investigations that have resulted in felony arrests for violations of Title 21 of the United States Code. I have been involved in various types of electronic surveillance, in the execution of search and arrest warrants, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from controlled substances trafficking.

On June 26, 2015 at approximately 10:12 am, Fayette County Narcotics Task Force Sergeant Randy Thumann (Sgt. Thumann) conducted a traffic stop on a passenger car traveling eastbound on interstate 10 mile at marker 659. The stop resulted when Sgt. Thumann observed the vehicle driving with an obscured license plate and operating a motor vehicle in an unsafe condition, which both are violations of Texas State Law. The vehicle Sgt. Thumann stopped was bearing Texas license plate FDY-3864 and showed to be registered to a Patrick Washington. The driver of the vehicle was identified as Juan Angel DIMAS and the passenger was identified as Francisco LOPEZ Jr.

According to Sgt. Thumann, The driver, Juan Angel DIMAS stated the vehicle belonged to his employer, DIMAS advised Sgt. Thumann that he and LOPEZ Jr both were employed by Mariano's Auto Sales in Brownsville, Texas. The registered owner of the vehicle was identified as a Patrick Washington; DIMAS advised Sgt. Thumann that he did not know a Patrick Washington. Dispatch then advised Sgt. Thumann that DIMAS did not currently have a valid driver's license. DIMAS and LOPEZ Jr both advised Sgt. Thumann that they were en route to Baytown, Texas to pick up a car for their employer. Sgt. Thumann noticed that DIMAS and LOPEZ Jr were both nervous when being questioned of their travel plans. Sgt. Thumann is also aware that the most direct route from Brownsville, Texas to Baytown, Texas is using U.S. highway 59. By traveling interstate 10, DIMAS and LOPEZ Jr added approximately one to two hours to their travel time.

Sgt. Thumann was then notified by dispatch that DIMAS was recently released from prison for drug charges. Based upon his suspicion that the two were likely drug couriers, Sgt. Thumann asked DIMAS for consent to search the vehicle, Sgt. Thumann received verbal consent to search from driver DIMAS. While searching the vehicle, Sgt. Thumann located a fire extinguisher in the tool box of the truck and another hidden under the toolbox covered with old cardboard boxes. Sgt. Thumann noted that the extinguishers appeared to be purposely hidden from plain sight. Sgt. Thumann inspected the fire extinguishers and noticed that they were manufactured in Mexico. Sgt. Thumann recently read law enforcement reports that explained how fire extinguishers were currently being utilized for concealing and transporting illegal narcotics.

Sgt. Thumann observed that the gauges on both fire extinguishers showed to be fully charged, but when Sgt. Thumann pulled the handle, the extinguishers had no pressure. Sgt. Thumann then removed the top of the fire extinguisher and observed a powdery substance that was consistent with the powder that goes inside the fire extinguishers, but when Sgt. Thumann used a wooden probe and pushed down into the extinguisher, Thumann hit a very hard surface only a few inches down. Sgt. Thumann then dumped the powder out and then observed aluminum foil inside the extinguisher. Sgt. Thumann is aware that aluminum foil is commonly used by narcotics traffickers in an attempt to hide illegal contraband such as narcotics from the x-ray machines used at the United States Border Patrol Checkpoints. Sgt. Thumann observed a crystal like substance on the end of the wooden probe, through training and experience, Sgt. Thumann is very familiar with the appearance of crystal methamphetamine.

The subjects and vehicle were then moved from the side of the highway to the Fayette County Sheriff's Office. DEA Task Force Officer Matthew Walls (TFO Walls) met Sgt. Thumann to assist in the investigation.

Once at the Sheriff's Office, Sgt. Thumann was able to cut open the fire extinguishers, exposing a large amount of crystalized hard white substance. The substance had a thin layer of plastic wrapping and aluminum foil inside the fire extinguisher. The substance was tested and showed positive results for methamphetamine. A total of 8.5 kilograms of methamphetamine was removed from the fire extinguishers.

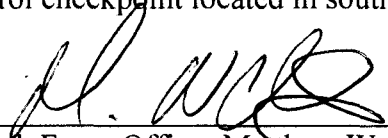
At this time, TFO Walls was able to interview the driver Juan Angel DIMAS at the Fayette County Sheriff's Office. TFO Walls advised DIMAS of his Miranda Warnings prior to any questioning. DIMAS signed a DEA 13 form (waiver of rights) at approximately 2:30 PM, indicating that DIMAS understood his rights and would waive them prior to questioning. DIMAS spoke English and did not need a translator for the interview. During the course of the interview, DIMAS advised TFO Walls that he and his passenger LOPEZ Jr were traveling to Baytown, Texas to pick up a vehicle for his employer, DIMAS went on to state that he and LOPEZ Jr actually work for an auto sales business in Mercedes, Texas. TFO Walls then asked DIMAS for the address to his employer, DIMAS stated he did not know. DIMAS told TFO Walls that he and LOPEZ Jr were being paid to pick up a Nissan Maxima in Baytown, Texas for his employer.

TFO Walls asked DIMAS what was their final destination in Baytown to pick up the maxima, DIMAS stated he did not know where they were exactly supposed to pick up the vehicle and that he was waiting for a phone call from his employer a "Victor Villarreal", who would then instruct DIMAS and LOPEZ Jr where to go to pick up the maxima. DIMAS told TFO Walls that he gets paid \$240 dollars a week to work for "Victor Villarreal" at the auto sales business. TFO Walls asked DIMAS who owns the vehicle he was driving at the time of his arrest; DIMAS stated that the vehicle belongs to "Victor Villarreal". After approximately 28 minutes of being interviewed by TFO Walls, DIMAS admitted to TFO Walls that the narcotics Sgt. Thumann located inside the fire extinguishers were his and that he wanted to claim responsibility for the narcotics. DIMAS advised TFO Walls that he picked up the fire extinguishers at an HEB supermarket in Mercedes, Texas. DIMAS wouldn't tell TFO Walls who he picked up the fire extinguishers from or a phone number for the unknown subjects. DIMAS stated that he was going to get paid for transporting the narcotics, but wouldn't say how much. When asked where DIMAS was going to deliver the narcotics, he told TFO Walls that he didn't know and that he was waiting on a phone call to be told where to deliver the narcotics.

On June 26, 2015 TFO Walls attempted to interview passenger LOPEZ Jr at the Fayette County Sheriff's Office, LOPEZ Jr advised Walls that he would not consent to an interview and that he would like to speak with an attorney. TFO Walls terminated the interview at that time.

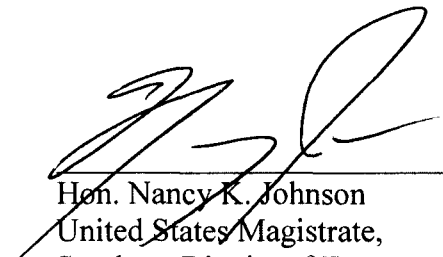
On 7-6-2015, a Spanish speaking Investigator with Houston HIDTA contacted the phone number given to TFO Walls by DIMAS for the subject Victor Villarreal. The Investigator spoke with a subject who identified himself as Mariano Munoz. Mr. Munoz stated that he is the owner of Mariano's auto repair shop and that DIMAS and LOPEZ Jr do work for the shop located in Mercedes, Texas, but that he had no knowledge of a Victor Villarreal. Mr. Munoz went on to explain that he is aware that the subjects were arrested and that Munoz owns the vehicle they were driving. Mr. Munoz stated DIMAS and LOPEZ Jr will travel to cities such as San Antonio, Houston, and Austin to pick up vehicles but that on the day they were arrested, he had no knowledge of where they were headed.

TFO Walls learned that DIMAS is currently on federal supervised release for the charge of possession of marijuana and that DIMAS was arrested in 2010 for attempting to smuggle marijuana through a United States Border Patrol checkpoint located in south Texas.



Task Force Officer Matthew Walls
Drug Enforcement Administration

Sworn to and subscribed before me on this 15th day of July, 2015,
And I hereby find probable cause.



Hon. Nancy K. Johnson
United States Magistrate,
Southern District of Texas